

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE FIFTEENTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

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WRIT PETITION NO : 13371 of 2004

Between:

K. Ramanamma D/o K.Narayana
20-4-28C C/o Narayan Reddy, Kotopally Tirupathi

..... PETITIONER

AND

1. The Executive Officer Tirumala Tirupathi Devasthanams
Tirupathi
2. The Govt. of AP. Rep. by its Chief Secretary, Secretariat Building
Hyderabad
3. The Principal Secretary, Govt. Social Welfare Dept. Sec. Hyderabad

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction particularly one in the nature of *Writ of Mandamus* declaring the action of the 1st respondent in issuing the impugned memos dated 04/12/2003 and 03/06/2004 and in not considering the case of the petitioner for promotion to the post of Senior Binder, Grade II at Roster point No.8 as per G.O.Ms.No.2 as arbitrary, illegal, without jurisdiction and in gross violation of Article 16(4A) of the Constitution of India and consequently direct the respondents to consider the case of the petitioner for promotion to the Post of Senior Binder, Grade II in the 3rd respondent organization and promote him with all consequential benefits including arrears of pay.

Counsel for the Petitioner: MSHEMA JAISWAL

Counsel for the Respondent No.1: MR.A.K.JAYAPRAKASH RAO

Counsel for the Respondent Nos.2 & 3: G.P. for Social Welfare

The Court made the following:

ORDER:

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For declaring the action of the first respondent in issuing the impugned memos dated 4.12.2003 and 3.6.2004 and in not considering the case of the petitioner for promotion to the post of Senior Binder, Grade-II at Roster point No.8 as per G.O.Ms.No.2, as arbitrary and illegal, the present writ petition has been filed.

2. A detailed counter affidavit has been filed by the respondent has stating that in pursuance of G.O.Ms.No.2, dated 9.1.2004 wherein clarification was issued, in case there is no qualified woman candidate, available to fill up the roster point earmarked for SC (W), then such vacancy shall be filled up with male candidate. Accordingly, necessary promotion orders were issued processing the names of K. Rajakumar, Junior Binder, SC (C) Male under 2/1 roster point and K. Ramanamma, ST (Yerukula) roster point 8/1 vide Memo Roc.No.TL.3/3276/2004, dated 5.8.2004, and the above two incumbents also reported for duty on 6.8.2004 and 11.8.2004 respectively.

3. In view of the submissions made by the respondents, there is no lis to be adjudicated in this writ petition, since the main relief itself has been given by the respondents.

4. Accordingly, the writ petition is dismissed as infructuous. No order as to costs.

(K.C. BHANU, J)

Date: 15.6.2005

Ksn

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Executive Officer Tirumala Tirupathi Devasthanams
Tirupathi
2. The Chief Secretary, Government of Andhra Pradesh,

Secretariat Buildings, Hyderabad
3. The Principal Secretary, Govt. Social Welfare Dept. Section,

Hyderabad
4. 2 CD copies
5. 1 CC to MR.JAYAPRAKASH RAO

Form-NIC-OGS/WP{GR}